

AN ORDINANCE BY COUNCILMEMBER ANNE FAUVER
AS SUBSTITUTED & AMENDED BY THE ZONING COMMITTEE

02-O-0244
Z-02-17

AN ORDINANCE TO AMEND CHAPTER 20B, DRUID HILLS LANDMARK DISTRICT, OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, BY MODIFYING THE STATEMENT OF INTENT, CORRECTING CERTAIN REFERENCES WITHIN SAID CHAPTER 20B, AMENDING THE LANDSCAPE STANDARDS, PROVIDING FOR ALL VARIANCES TO BE HEARD AND DECIDED BY THE URBAN DESIGN COMMISSION; AND FOR OTHER PURPOSES.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

THAT THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, BE AND IS FURTHER AMENDED, as follows:

SECTION 1: That Section 16-20B.001 of the Code of Ordinances is hereby amended by adding a new subsection (1) to Section 16-20B.001 Statement of Intent which shall read as follows: "(1) To recognize the masterpiece of design that is the 1893 plan for Druid Hills created for Joel Hurt's 'ideal residential suburb' by Frederick Law Olmsted, the father of American landscape architecture, a plan subsequently formalized by his sons, the Olmsted Brothers, and completed by the Druid Hills Corporation." and by renumbering the existing paragraphs (1) through (4) of the Statement of Intent as paragraphs (2) through (5).

SECTION 2: That Section 16-20B.003(1)(b.) is repealed in its entirety and the following new Section 16-20B.003(1)(b.) is enacted in lieu thereof as follows: "(1)(b.) No off-street parking shall be located within 20 feet of any lot line except as may be authorized by the Atlanta Urban Design Commission under Section 16-20B.004(6)."

SECTION 3: That Section 16-20B.003 of the Code of Ordinances is hereby amended by adding a new subsection (3)(e.) which shall read as follows: "(3)(e.) Any construction in the Druid Hills Landmark District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the district. Landscape changes visible from the public right-of-way shall require a Certificate of Appropriateness and shall follow the standards set forth by the Secretary of the Interior. These standards, *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*, are designed to assist individual property owners in the formulation of plans for maintenance and continued use of historic properties and landscapes."

SECTION 4: That Section 16-20B.004(2)(a.) be repealed in its entirety and the following new Section 16-20B.004(2)(a.) is enacted in lieu thereof as follows: "(2)(a.) Such structures shall be

located to the rear of the principal structure and not within any required side or rear yards (See Sections 16-20B.004(6), 16-20B.005(5), and 16-20B.006(5)."

SECTION 5: That Section 16-20B.008 is hereby repealed in its entirety and a new Section 16-20B.008 Variances and appeals is enacted in lieu thereof which shall read as follows:

"Sec. 16-20B.008. Variances, special exceptions and appeals.

- (1) The Urban Design Commission shall have the power to hear, grant or deny all variances from the sections of this chapter and all special exceptions as will not be contrary to the public interest when, due to special conditions, a literal enforcement of the provisions in a particular case will result in unnecessary hardship, provided that the spirit of the chapter shall be preserved, public welfare and safety secured, and substantial justice done. The criteria and the procedures for such variances and special exceptions shall be the same as so specified in Chapter 26 of this part for the Board of Zoning Adjustment.
- (2) Appeals from decisions of any administrative officials shall be made to the Urban Design Commission, the same as so specified for the Board of Zoning Adjustment in Section 16-30.010, Chapter 30 of this part.

SECTION 6: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

JULY 01, 2002
JULY 09, 2002

RCS# 3844
7/01/02
2:05 PM

Atlanta City Council

Regular Session

02-O-0244

Z-02-17; Text Amendment

ADOPT/SUB/AMEND

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

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BY: COUNCILMEMBER ANNE FAUVER

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ADOPTED BY
JUL 01 2002
COUNCIL

RESOLUTION AS AMENDED

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred 2/4/02

Referred To: Zoning

Date Referred 2/18/02

Referred To: ZRB & Zoning

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee: Zoning
Date: 2/13/02
Chair: _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members: _____
Refer To: _____

Committee: Zoning
Date: June 26, 2002
Chair: [Signature]
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members: [Signature]
Refer To: _____

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
JUL 01 2002
[Signature]
MUNICIPAL CLERK

MAYOR'S ACTION

[Signature]
JUL - 9 2002
MAYOR